

**UNITED STATES DISTRICT COURT
District of Maine**

**RICHARD G. MIEKKA, as Personal
Representative for the Estate of
James R. Miekka,**

Plaintiff

v.

ALLSTATE INSURANCE COMPANY,

Defendant

No. 1:16-cv-00236-GZS

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on November 28, 2016, his Recommended Decision (ECF No. 44). Plaintiff filed his Objection to the Recommended Decision (ECF No. 45) on December 9, 2016. Defendant filed its Response to Plaintiff's Objection to the Recommended Decision (ECF No. 46) on December 21, 2016.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
2. It is hereby **ORDERED** that Defendant's Motion for Summary Judgment (ECF No. 29) is **GRANTED**.

3. It is hereby **ORDERED** that Plaintiff's Motion for Summary Judgment (ECF No. 33) is **DENIED**.

/s/George Z. Singal
U.S. District Judge

Dated this 9th day of January, 2017.